



**June 21, 2022**  
 Stallings Town Hall  
 315 Stallings Road  
 Stallings, NC 28104  
 704-821-8557  
[www.stallingsnc.org](http://www.stallingsnc.org)

**Planning Board Meeting Agenda**

	<b>Time</b>	<b>Item</b>	<b>Presenter</b>	<b>Action Requested/Next Step</b>
	7:00 pm	<b>Invocation</b> <b>Call Meeting to Order</b>	Chair	N/A
1.		<b>Election of Chair</b>	Max Hsiang, Development Administrator	N/A
2.		<b>Approval of Agenda</b>	Chair	<b>Approve Agenda</b>  <i><b>Motion:</b> I make the motion to:</i> <ol style="list-style-type: none"> <li>1) Approve the Agenda as presented; or</li> <li>2) Approve the Agenda with the following changes:</li> </ol>
3.		<b>Approval of Minutes</b> A. May 17, 2021	Chair	<b>Approve Minutes</b>  <i><b>Motion:</b> I make the motion to:</i> <ol style="list-style-type: none"> <li>1) Approve the Minutes as presented; or</li> <li>2) Approve the Minutes with the following changes:</li> </ol>
4.		<b>TX22.05.01</b> A. Add Floor Covering, Drapery, and/or Upholstery and add Market Showroom as S (10.1-36) to the VSR zoning district. B. Statement of Consistency and Reasonableness	Max Hsiang, Development Administrator	<b>Approval/Denial of Code of TX22.05.01 Amendment and State of Consistency and Reasonableness</b>  <i><b>Motion:</b> I make the motion to recommend:</i> <ol style="list-style-type: none"> <li>1) Approval of the request as presented.</li> <li>2) Approval of the request with the following changes:</li> <li>3) Defer the request to:</li> <li>4) Denial of the request as submitted.</li> </ol>

	Time	Item	Presenter	Action Requested/Next Step
5.		<p><b>TX22.06.01</b></p> <p>A. An Ordinance to Amend §§4.2-1 Through 4.2-5 To Clarify and Update the Duties And Responsibilities Of The Stallings Planning Board And To Harmonize The Development Ordinance With §32.10 Of The Town Code</p> <p>B. Statement of Consistency and Reasonableness</p>	Max Hsiang, Development Administrator	<p>Approval/Denial of Code of TX22.06.01 Amendment and State of Consistency and Reasonableness</p> <p><b>Motion:</b> <i>I make the motion to recommend:</i></p> <ol style="list-style-type: none"> <li>1) <i>Approval of the request as presented.</i></li> <li>2) <i>Approval of the request with the following changes:</i></li> <li>3) <i>Defer the request to:</i></li> <li>4) <i>Denial of the request as submitted.</i></li> </ol>
6.		<b>Adjournment</b>	Chair	<ol style="list-style-type: none"> <li>1) <b>Motion:</b> <i>I make the motion to adjourn.</i></li> </ol>

**MINUTES OF PLANNING BOARD MEETING  
OF THE  
TOWN OF STALLINGS, NORTH CAROLINA**

The Planning Board of the Town of Stallings met for their regularly meeting on May 17, 2022, at 7:00 pm. The meeting was held at the Stallings Government Center, 321 Stallings Road, Stallings, NC 28106.

Planning Board members present: Chairman Robert Ragon; Vice Chairman Bob Koehler; David Barnes, Jacqueline Wilson, and Laurie Wojtowicz. No Planning Board members absent

Staff members present: Max Hsiang, Planning Director; Matthew West, Planner I; Mary McCall, Deputy Town Clerk; and Mac McCarley, Town Planning Attorney.

Chairman Ragon recognized a quorum.

Invocation and Call to Order

Chairman Ragon gave the invocation and called the meeting to order at 7:00 pm

1. Approval of Agenda

Vice Chairman Koehler made the motion to approve the Agenda. The motion was approved unanimously after a second from Board Member Wilson.

2. Approval of Minutes - November 30, 2021, Special Meeting; December 13, 2021, Meeting; January 18, 2022, Meeting and February 15, 2022, Meeting

Board Member Wojtowicz made a motion to approve the minutes for November 30, 2021, Special Meeting; December 13, 2021, Meeting; January 18, 2022, Meeting and February 15, 2022, Meeting. The motion was approved unanimously after a second from Vice Chairman Koehler.

3. Code of Ordinances 32.10 Amendment

Planning Director Hsiang presented the proposed ordinance changes to the planning board process and development regulations as per the review requested by Council. Attorney McCarley addressed questions from the board and identified an error. The correction is to add a word missing in subsection D that should say "includes but not limited to" and the word "not" is missing.

Board Member Wilson made the motion to approve the Code of Ordinances 32.10 Amendment with the above correction as noted by Attorney McCarley. The motion was approved unanimously after a second from Board Member Wojtowicz.

4. RZ22.03.01 – General Rezoning of 409 Stallings Road from SFR-3 to MU-2

Planner West presented the application for rezoning 409 Stallings Road from SFR-3 to MU2. MU2 is inconsistent with the Comprehensive Land Use Plan but not inconsistent with the Stallings Small Area Plan. Uses in the immediate area are consistent with the MU2 zoning and MU2 zoning would still meet the Town’s vision for the Downtown Area. The applicant was addressed the Board.

Vice Chairman Koehler made the motion to approve the RZ22.03.01 – General Rezoning of 409 Stallings Road from SFR-3 to MU-2. The motion was approved unanimously after a second from Board Member Barnes.

5. RZ22.03.01 – Statement of Consistency and Reasonableness

Vice Chairman Koehler made a motion to find RZ22.03.01 inconsistent but reasonable. The motion was approved unanimously after a second from Board Member Wilson.

6. TX22.04.01 – Amend the Stallings Development Ordinance to match 160D amendment to decriminalize violations except in certain instances.

Planning Director Hsiang presented the text proposed for amendment to the Code of Ordinances suggested to conform with the newly updated General Statutes 160D regarding the decriminalization of certain violations.

Board Member Wojtowicz made a motion to approve TX22.04.01. The motion was approved unanimously after a second from Vice Chairman Koehler.

7. TX22.04.01 - Statement of Consistency and Reasonableness

Vice Chairman Koehler made a motion to find TX22.04.01 reasonable and consistent. The motion was approved unanimously after a second from Board Member Barnes.

8. Adjournment

Vice Chairman Koehler made the motion for adjournment. The motion was approved unanimously after a second from Board Member Wilson.

The meeting adjourned at 7:42 pm.

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Robert Koehler, Planning Board Vice Chair

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Mary McCall, Deputy Town Clerk



# MEMO

To: Planning Board  
From: Max Hsiang, Planning Director  
Date: 06/21/2022  
Re: TX22.05.01

## Request:

Edgar Gary and Teresa Moya-Mendez submitted a Text Amendment application to amend Article 8, Table 8.1 – Table of Uses to allow the following uses with supplemental regulations S(10.1-36) in the Vehicle Service and Repair (VSR) zoning district:

- Floor Covering and/or Upholstery Sales
- Market Showroom

S(10.1-36) means that it is an allowed use with supplemental regulations.

### 10.1-36 Outdoor Storage.

(A.) *Applicable to any Zoning Districts where Table 8.1, appearing in Article 8 of this Ordinance includes the Outdoor Storage of materials associated with a use listed with additional standards.*

(B.) *Exclusions include licensed motor vehicles titled to a resident and/or occupant of the property, provided such vehicles are not in violation of the provisions of Section 10.1-22 of this Article.*

(C.) *Performance Standards for Outdoor Storage:*

(1.) *In all zoning districts where storage of bulk materials, inventory, customer-owned property, and/or equipment is stored outdoors more than three (3) consecutive calendar days the site shall:*

(a.) *consist of a minimum of five (5) acres;*

(b.) *provide for the screening and buffering along all site perimeter of the area designated for Outdoor Storage on an approved site plan with a Type D Buffer, except where the site abuts an adjacent Zoning District requiring the provision of a Buffer Yard in accordance with Table 11.1 appearing in Article 11 of this Ordinance.*

## VSR District:

The VSR district consists of 8 parcels in the Town.

The Vehicle Service and Repair District (VSR) is established to provide locations for specific uses that, due to their unique characteristics and importance to the community and the traveling public, require different criteria and specifications than typical commercial development.



**Future Land Use:**

The future land use designation for the areas where VSR zoning is located calls for Suburban Commercial Center.

Suburban shopping centers serve the daily needs of surrounding residential neighborhoods. They typically locate near high-volume roads and key intersections, and are designed to be accessible primarily by automobile. Buildings are set back from the road, typically behind large surface parking lots, with little connectivity between adjacent businesses. Common types of suburban centers include smaller, multi-tenant strip centers, big-box stores, small outparcels with a drive-through, and large shopping malls.

**Primary Land Uses**

- General Commercial Services
- Sit down or Fast Food Restaurant
- Multi-tenant Commercial
- Big Box Commercial
- Bank
- Hotel
- Professional Office

**Staff Recommendations:**

Staff recommends approval.

Staff believes that adding Floor Covering and/or Upholstery Sales and Market Showroom is consistent with the Comprehensive Land Use Plan.



## Statement of Consistency and Reasonableness

**ZONING AMENDMENT:** TX22.05.01

**REQUEST:** Amend the Stallings Development Ordinance to amend Article 8, Table 8.1 – Table of Uses to allow Floor Covering and/or Upholstery and Market Showroom with supplemental regulations S (10.1-36) in the Vehicle Service and Repair (VSR) zoning district.

**WHEREAS**, The Town of Stallings Town Council, hereafter referred to as the “Town Council”, adopted the Stallings Comprehensive Land Use Plan on November 27, 2017; and

**WHEREAS**, the Town Council finds it necessary to adopt a new land development ordinance to maintain consistency with the Comprehensive Land Use Plan; and

**WHEREAS**, the Town Council finds it necessary to revise the Unified Development Ordinance to comply with state law found in NCGS § 160D.

**WHEREAS**, the Town Council finds it necessary to consider the Planning Board’s recommendations.

**THEREFORE**, The Planning Board hereby recommends that the proposed text amendment is consistent and reasonable with the Comprehensive Land Use Plan adopted on November 27, 2017, based on the goals and objectives set forth in the document of promoting quality development and consistency with all state-mandated land-use regulations established through NCGS § 160D. The Planning Board recommends to **APPROVE** the proposed amendment and stated that the Planning Board finds and determines that the text amendment is consistent and reasonable with the key guiding principles, goals, and objectives of the Comprehensive Land Use Plan for the following reasons:

- 1) The proposed amendment is consistent with the Comprehensive Land Use Plan.

**Recommended** this the \_\_\_ day of \_\_\_\_\_, 2022.

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Planning Board Chair

Attest:

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Planning Staff



# MEMO

To: Planning Board  
From: Max Hsiang, Planning Director  
Date: 6/21/2022  
Re: TX22.06.01

**AN ORDINANCE TO AMEND §§4.2-1 THROUGH 4.2-5 TO CLARIFY AND UPDATE THE DUTIES AND RESPONSIBILITIES OF THE STALLINGS PLANNING BOARD AND TO HARMONIZE THE DEVELOPMENT ORDINANCE WITH §32.10 OF THE TOWN CODE**

**Section 1. §4.2, and all of the subsections of that Section, are rewritten to read as follows:**

4.2 Planning Board

4.2-1 Authority. There is hereby created a planning agency, pursuant to G.S. § 160D-301 to be known as the Town of Stallings Planning Board.

4.2-2 Membership and Officers.

(A.) Membership and Term. The Planning Board shall consist of seven (7) members and two (2) alternates. ~~All full members shall have equal rights, privileges, and duties; except as defined for officers by adopted Rules of Procedure.~~ All members shall be appointed for three (3) year terms and there are no term limits, except in making the original appointments. In making the original appointment three (3) members shall be appointed for a three (3) year term; three (3) members shall be appointed for a two (2) year term; and three (3) members shall be appointed for a one (1) year term.

"(B.) Alternates. The Town Council may, in its discretion, appoint alternate members to serve on the Planning Board in the absence or temporary disqualification of any regular member or to fill a vacancy pending appointment of a member. Alternate members shall be appointed for the same term, simultaneously, and in the same manner as regular members. Each alternate member, while attending any regular or special meetings of the Board and serving on behalf of any regular member, shall have and may exercise all the powers and duties of a regular member."

(C.) Officers. The members of the Planning Board shall elect a Chairman and Vice-Chairman during the Board's first regular meeting of a new calendar year or at the next regular meeting following a vacancy in the office of Chairman or Vice-Chairman.

4.2-3 ~~Powers and Duties. Purpose and Objectives.~~ The In accordance with state law the Planning Board may, at the request of the Town Council shall have the following powers and duties:

(A.) Prepare, review, maintain, monitor, and periodically update and recommend to the governing board a comprehensive plan, and such other plans as deemed appropriate, and conduct ongoing related research, data collection, mapping, and analysis;

(B.) Facilitate and coordinate citizen engagement and participation in the planning process;

(C.) Develop and recommend policies, ordinances, development regulations, administrative procedures, and other means for carrying out plans in a coordinated and efficient manner;



(D.) Advise the governing board concerning the implementation of plans, including, but not limited to, review and comment on all zoning text and map amendments as required by G.S. § 160D-604;

(E.) Exercise any functions in the administration and enforcement of various means of carrying out plans that the Council governing board may direct; and

(F.) Perform any other duties that the Council governing board may direct.

4.2-4 Conflict of Interest. Members of the Planning Board shall not vote on any advisory or legislative decision regarding a development regulation adopted pursuant to G.S. § 160D or the Stallings Development Ordinance where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. A Planning Board member shall not vote on any zoning amendment if the landowner of the property subject to a rezoning petition or the applicant for a text amendment is a person with whom the member has a close familial, business, or other associational relationship.

4.2-5 Rules of Procedure. Rules of Procedure that are consistent with the provisions of G.S. § 160D may be adopted by the Town Council for the Planning Board. In the absence of action by the Town Council, the Planning Board is authorized under G.S. § 160D-308 to adopt their own rules of procedure, A copy of any adopted rules of procedures shall be maintained by the Town Clerk or Development Administrator and posted on the Town's website. The Planning Board shall keep minutes of its proceeding.

4.2-6 Oath of Office. All members of the Planning Board shall, before entering their duties, qualify by an oath of office as required by G.S. § 160A-61.

**Section 2. This ordinance shall be effective upon adoption.**



## Statement of Consistency and Reasonableness

**ZONING AMENDMENT:** TX22.06.01

**REQUEST:** Amend the Stallings Development Ordinance to amend Article 8, Table 8.1 – Table of Uses to allow Floor Covering and/or Upholstery and Market Showroom with supplemental regulations S (10.1-36) in the Vehicle Service and Repair (VSR) zoning district.

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- 1) This recommendation is a simple, efficient, and practical way to address the inconsistency between the SDO and other adopted Town ordinances, policies, and practices.

**Recommended** this the \_\_\_ day of \_\_\_\_\_, 2022.

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Planning Board Chair

Attest:

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Planning Staff